



Attorney Docket No: 1322.0063CNT

PATENT

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Warming System and Method for Heating Various Items Utilized in Surgical Procedures

the specification of which:

(check one)

☐ is attached hereto;

☒ was filed as United States Application Serial No. 10/695,487 on October 29, 2003, and was amended by the amendments filed on October 29, 2003 and February 2, 2004;

☐ was filed as PCT International Application No. _____ on _____ and was amended under PCT Article 19 or Article 34 on _____ (if applicable);

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information which is known to me to be material to the patentability of said invention in accordance with 37 C.F.R. §1.56;

I hereby claim foreign priority benefits under 35 U.S.C. §119 and/or §365 of any foreign application(s) for patent, any foreign application(s) for inventor's certificate, or any PCT international application(s) designating at least one country other than the United States of America listed below; I have also identified below any foreign application(s) for patent, any foreign application(s) for inventor's certificate, or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Prior Foreign Application(s)

COUNTRY/INTERNATIONAL	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

(Application Number)

(Filing Date) (day, month, year)

(Application Number)

(Filing Date) (day, month, year)

I hereby claim the benefit under 35 U.S.C. §120 and/or §365 of any United States application(s) or of any international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date(s) of the prior application(s) and the national or PCT international filing date of this application:

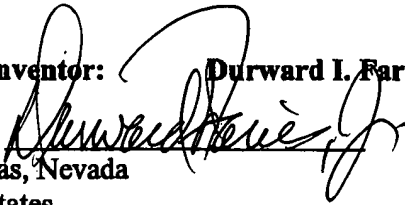
Prior U.S. Application(s) or PCT International Applications Designating the U.S. for benefit under 35 U.S.C. §120

U.S. APPLICATIONS			STATUS (check one)		
U.S. APPLICATION NO.	U.S. FILING DATE (day, month, year)		Pending	Patented	Abandoned
10/127,675	23 April 2002		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
09/810,418	19 March 2001		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
09/413,532	6 October 1999		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PCT APPLICATIONS DESIGNATING THE U.S.					
PCT APPLICATION NO.	PCT FILING DATE (day, month, year)	U.S. APPLICATION NOS. (if any)			
PCT/US98/06951	7 April 1998		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Durward I. Farles, Jr.**

Inventor's signature



Date 5/6/04

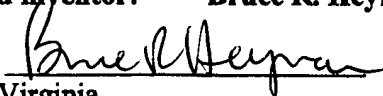
Residence: Las Vegas, Nevada

Citizen of: United States

Post Office Address: 9801 Orient Express Court, Las Vegas, Nevada 89145

Full name of second inventor: **Bruce R. Heymann**

Inventor's signature



Date 5/6/04

Residence: Vienna, Virginia

Citizen of: United States

Post Office Address: 9701 Woodland Glen Court, Vienna, Virginia 22182

Full name of third inventor: **Calvin Blankenship**

Inventor's signature



Date 5/6/04

Residence: Frostburg, Maryland

Citizen of: United States

Post Office Address: 26 Bealls Lane, Frostburg, Maryland 21532

ASSIGNMENT

WHEREAS, we, Durward I. Faries, Jr., Bruce R. Heymann and Calvin Blankenship, residing at 9801 Orient Express Court, Las Vegas, Nevada 89145, 9701 Woodland Glen Court, Vienna, Virginia 22182 and 26 Bealls Lane, Frostburg, Maryland 21532 respectively, have invented certain new and useful improvements in Warming System and Method for Heating Various Items Utilized in Surgical Procedures, for which a patent application for United States Letters Patent

_____ is attached hereto, assigned attorney docket number _____
X was filed on October 29, 2003 as United States Application Serial No. 10/695,487.

WHEREAS, Patented Medical Solutions, LLC, a limited liability company of the State of Nevada, having a place of business at 9801 Orient Express Court, Las Vegas, Nevada 89145, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, in consideration of the sum of ten dollars (\$10.00) and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, we have sold, assigned and transferred, and by these presents do sell, assign and transfer unto Patented Medical Solutions, LLC the full and exclusive right to said invention in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which may be granted thereon in the United States and its territorial possessions and in any and all foreign countries, and in and to any and all non-provisional applications, divisions, reissues, continuations and extensions thereof pertaining to said invention.

We hereby authorize and request the Patent and Trademark Office officials in the United States and in any and all foreign countries to issue any and all of said Letters Patent, when granted, to said Patented Medical Solutions, LLC, as the assignee of the entire interest in and to the same, for the sole use and behalf of Patented Medical Solutions, LLC, its successors and assigns.

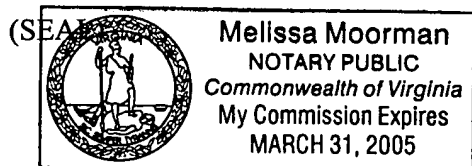
FURTHER, we agree that we will communicate to Patented Medical Solutions, LLC, or its representatives, any facts known to us respecting said invention, and testify in any legal proceedings, sign all lawful papers, execute all non-provisional, divisional, continuation, substitution, renewal and reissue applications pertaining to said invention, execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to Patented Medical Solutions, LLC, make all rightful oaths and generally do everything possible to aid Patented Medical Solutions, LLC, its successors and assigns, to obtain and enforce proper protection for said invention in the United States and in any and all foreign countries.

IN TESTIMONY WHEREOF, we have hereunto set our hands.

5/6/04
Date

Durward I. Faries, Jr.
Durward I. Faries, Jr.

On this 6th day of May, 2004 personally appeared before me the above named Durward I. Faries, Jr., to me known and known to me to be the person described in, and who executed, the foregoing instrument and acknowledged the same to be his free act and deed in and for the purposes set forth in said instrument.

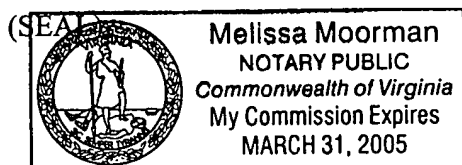


Melissa Moorman
NOTARY PUBLIC
My Commission Expires: 3/31/05

5/6/04
Date

Bruce R. Heymann
Bruce R. Heymann

On this 6th day of May, 2004, personally appeared before me the above named Bruce R. Heymann to me known and known to me to be the person described in, and who executed, the foregoing instrument and acknowledged the same to be his free act and deed in and for the purposes set forth in said instrument.

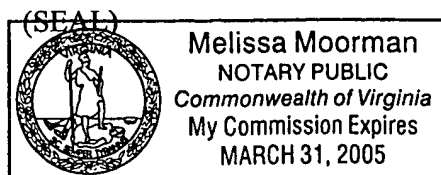


Melissa Moorman
NOTARY PUBLIC
My Commission Expires: 3/31/05

5/6/04
Date

Calvin Blankenship
Calvin Blankenship

On this 6th day of May, 2004, personally appeared before me the above named Calvin Blankenship to me known and known to me to be the person described in, and who executed, the foregoing instrument and acknowledged the same to be his free act and deed in and for the purposes set forth in said instrument.



Melissa Moorman
NOTARY PUBLIC
My Commission Expires: 3/31/05

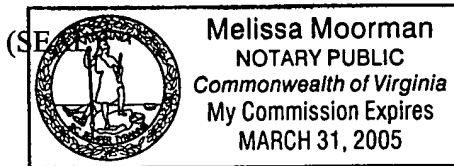
The foregoing Assignment is hereby accepted by Patented Medical Solutions, LLC

5/6/04

Date

Durward I. Faries, Jr.
Durward I. Faries, Jr.
Member

On this 6th day of May, 2004, personally appeared before me the above named Durward I. Faries, Jr., to me known and known to me to be the person described in, and who executed, the foregoing instrument and acknowledged the same to be his free act and deed in and for the purposes set forth in said instrument.



Melissa Moorman
NOTARY PUBLIC
My Commission Expires: 3/31/05